

# **Minutes of the Malvern City Council**

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Held in the City Hall Courtroom

Monday, July 13, 2015

The Malvern City Council met for its regular monthly meeting on Monday, July 13, 2015 at 7:00 p.m. in the City Hall Courtroom. City Clerk/Treasurer Phyllis Dial opened the meeting and introduced Rev. Scott Efird, the city's new animal control officer, who led the invocation and pledge of allegiance. Present for the meeting were Council members Mary Fraction, William Wilson, Lynn Davis, J. Wayne Reynolds, Peggy Lusinger, Larry Stiles and David Cross with Robin Halbert absent. Also present was City Attorney Cecilia Ashcraft. Dial declared a quorum present, and noted that Mayor Weldon was in Dallas with her grandson who is playing in the World Series for Little League Baseball.

A motion was made by Reynolds, seconded by Fraction to adopt the minutes of the previous regular meeting held on June 8, 2015. Voting for the motion were Aldermen Fraction, Wilson, Davis, Reynolds, Lusinger, Stiles, and Cross with Halbert absent. All present voting for motion carried.

Departmental reports were presented for approval. A motion was made by Fraction, seconded by Reynolds to accept departmental reports as mailed. Voting for the motion were Aldermen Fraction, Wilson, Davis, Reynolds, Lusinger, Stiles, and Cross with Halbert absent. All present voting for motion carried.

There was no old business to come before the council.

Under new business, Alderman Stiles introduced a resolution assigning terms for the Malvern/Hot Spring County Planning Commission. The resolution was read by City Attorney Ashcraft and a motion was made by Fraction, seconded by Stiles to adopt the resolution. Voting for the motion were Aldermen Fraction, Wilson, Davis, Reynolds, Lusinger, Stiles, and Cross with Halbert absent. All present voting for motion carried and the resolution was assigned No. 17-2015.

## **RESOLUTION NO. 17-2015**

### **A RESOLUTION MAKING APPOINTMENTS TO THE MALVERN PLANNING COMMISSION**

Alderman Reynolds made a motion, seconded by Cross to accept the high bid of \$17,500 as submitted by Thomas Hayes for the purchase of the property located at 1030 McHenry Street. Voting for the motion were Aldermen Fraction, Wilson, Davis, Reynolds, Lusinger, Stiles, and Cross with Halbert absent. All present voting for motion carried. Clerk Dial noted that the Council will need to pass a resolution approving the sale of the property at the next city council meeting.

A motion was made by Lusinger, seconded by Fraction to approve the transfer of property between the Malvern Water and Sewer Department and the Malvern Street Department. A truck originally belonging to the Malvern Water Works appraised at \$3850.00 was traded to the Malvern Street Department for a mower valued at \$3,500.00. Voting for the motion were Aldermen Fraction, Wilson, Davis, Reynolds, Lusinger, Stiles, and Cross with Halbert absent. All present voting for motion carried.

Council Member Fraction introduced an ordinance amending the 2015 Water and Sewer Department Budget to show additional appropriations for repairs. Attorney Ashcraft read the ordinance for its first reading. A motion was made by Davis, seconded by Fraction to suspend the rules and place the ordinance on its second reading by title only. Voting for the motion were

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Aldermen Fraction, Wilson, Davis, Reynolds, Lusinger, Stiles, and Cross with Halbert absent. All present voting for motion carried and the attorney read the ordinance for its second reading by title only. A motion was made by Fraction, seconded by Lusinger to suspend the rules and place the ordinance on its third and final reading by title only. Voting for the motion were Aldermen Fraction, Wilson, Davis, Reynolds, Lusinger, Stiles, and Cross with Halbert absent. All present voting for motion carried and the attorney read the ordinance for its third and final reading by title only. A motion was made by Reynolds, seconded by Fraction to adopt the ordinance. Voting for the motion were Aldermen Fraction, Wilson, Davis, Reynolds, Lusinger, Stiles, and Cross with Halbert absent. All present voting for motion carried, and the ordinance was declared adopted and assigned No. 2015-09.

## **ORDINANCE NO. 2015-09**

AN ORDINANCE AMENDING THE BUDGET FOR THE OPERATION  
OF THE CITY OF MALVERN, ARKANSAS WATER AND SEWER DEPARTMENT  
FOR THE YEAR 2015, DECLARING AN EMERGENCY

Council Member Lusinger introduced a resolution setting a public hearing for closing an alley adjacent to the old post office property between Section Line Road and East Page Avenue. City Attorney Ashcraft read the resolution. A motion was made by Reynolds, seconded by Fraction to adopt the resolution. Voting for the motion were Aldermen Fraction, Wilson, Davis, Reynolds, Lusinger, Stiles, and Cross with Halbert absent. All present voting for motion carried and the resolution was declared adopted and assigned No. 18-2015.

## **RESOLUTION NO. 18-2015**

A RESOLUTION FIXING DAY FOR HEARING OF PETITION TO CLOSE THE  
ALLEY RUNNING NORTH AND SOUTH BETWEEN EAST PAGE  
AVENUE AND SECTION LINE

Council Member Fraction introduced a resolution accepting a historical marker from the Arkansas Civil War Sesquicentennial Historical Marker Program for placement in the Ouachita River Park. City Attorney Ashcraft read the proposed resolution. A motion was made by Cross, seconded by Stiles to adopt the resolution. Voting for the motion were Aldermen Fraction, Wilson, Davis, Reynolds, Lusinger, Stiles, and Cross with Halbert absent. All present voting for motion carried and the resolution was declared adopted and assigned No. 19-2015.

## **RESOLUTION NO. 19-2015**

A RESOLUTION TO PLACE A HISTORICAL MARKER AT THE  
OUACHITA RIVER PARK IN THE CITY OF MALVERN, ARKANSAS

Council Member Davis introduced an ordinance setting a policy for naming city streets. City Attorney Ashcraft read the ordinance for its first reading. It was agreed that an addition will be made to Section 9, noting that when naming new streets the proposed name will not duplicate or be deceptively similar to other public streets in the city. The ordinance will be heard for its second reading at the August meeting.

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There were no citizens wishing to appear before the Council, and no Mayor reports to be heard. There being no further business, and upon a motion by Fraction, seconded by Stiles, Clerk/Treasurer Dial declared the meeting adjourned.

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**Brenda J. Weldon, Mayor**

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**Phyllis Dial, City Clerk/Treasurer**